

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

**JOINT MOTION FOR AN ADJOURNMENT  
OF AUGUST 17, 2023 STATUS CONFERENCE**

**COME NOW THE PARTIES**, and respectfully request that this Court enter an Order adjourning the Status Conference scheduled for August 17, 2023 at 2:00 p.m. In support of this Motion, the Parties state as follows:

1. On August 1, 2023, the Court issued an Order related to three motions and set a Status Conference for August 17, 2023 at 2:00 p.m. to address outstanding issues related to certain aspects of those motions.

2. Plaintiffs filed two of the three motions and Defendants filed responses to each: Motion to Compel Defendants to Answer Interrogatories and For Sanctions [Doc. Nos. 88, 94] (“Motion to Compel”); and Motion for Sanctions against Defendant Judge Stephen Haynes. [Doc. Nos. 90, 95, 96] (“Motion for Sanctions”).

3. Defendants filed a Motion to Strike and Clawback Certain Exhibits and Brief in Support [Doc. No. 97] (“Motion to Strike”), which the Court noted “implicates three of

the exhibits attached to Defendant Haynes's *pro se* response [Doc. No. 96] to the Motion for Sanctions." [Doc. No. 114 at 1.]

4. Defendants' counsel also has filed a Motion to Withdraw from representing Defendant Haynes in his individual capacity. [Doc. No. 98.]

5. As reported in the parties' Joint Status Report dated June 16, 2023, the parties agreed, in relation to Plaintiffs' Motion to Compel and Motion for Sanctions that Plaintiffs "shall be allowed to depose each Defendant" for "Discovery Depositions." [Doc. No. 105 at 2.] Three of the depositions occurred as scheduled, on July 25 and 26, 2023. The Court in its August 1, 2023 Order noted that Judge Haynes's deposition was scheduled for July 26, 2023. [Doc. No. 104 at 7 n.4.] Judge Haynes, however, canceled his deposition at 3:28 p.m. on July 25 for his deposition scheduled for July 26, 2023 at 8:30 a.m. *See* R. Stephen Haynes Letter to All Above and transmittal email, dated July 25, 2023, attached as Exh. 1 hereto.

6. Plaintiffs' counsel reached out to Defense Counsel to reschedule the deposition of Defendant Haynes. Defense Counsel represented that Judge Haynes was not available the week of August 14, 2022 for his rescheduled deposition. On August 15, 2023, the parties agreed that Plaintiffs would depose Defendant Haynes on August 22, 2023.

7. The Court's August 1, 2023 Order appears to the parties to contemplate that Plaintiffs would have deposed Defendant Haynes before the August 17, 2023 hearing in order to consider a factual record more fully developed through the depositions of the Defendants. [See Doc. No. 114 at 7, 7 n.4, 9, 10, 12 n.8.]

8. Because Defendant Haynes has not yet appeared for his deposition, the Parties respectfully request that the Status Conference be adjourned until the week of August 28, 2023 or later, by which time Defendants will have made Judge Haynes available for Plaintiffs to depose him.

9. Plaintiffs' counsel believes that, after the deposition, they will be in a better position to address the outstanding issues raised in the Court's August 1, 2023 Order.

10. If the Court would like to preserve the August 17, 2023, Status Conference, the parties request that the hearing be conducted telephonically.

Respectfully submitted this 15 day of August, 2023.

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